

Article - Education

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§3–501.

- (a) (1) The Charles County Board consists of:
 - (i) Nine elected members; and
 - (ii) One student member.
- (2) Of the nine elected members:
 - (i) Two members shall:
 - 1. Be elected from each of the four county commissioner districts;
 - 2. Be a resident of the county commissioner district from which the member is elected; and
 - 3. Be elected only by the voters of that county commissioner district; and
 - (ii) One member shall be elected from the county at-large.
- (b) (1) As applicable for that county commissioner district, at the general election the ballot shall provide the voter with the choice to cast a vote “For” a candidate for election from that county commissioner district.
- (2) After the election results are certified, the State Board of Elections shall declare for each county commissioner district whether a candidate has been elected.
- (c) (1) An individual elected to the county board shall be:
 - (i) At least 21 years old; and
 - (ii) A resident and registered voter of Charles County for at least 3 years.
- (2) An elected member shall forfeit the office if the member:

(i) Fails to reside in the county commissioner district from which the member was elected, unless this change is caused by a change in boundaries of the district;

(ii) Fails to be a resident of the county; or

(iii) Fails to be a registered voter of the county.

(3) An individual employed by or under the direction of the county board or the county superintendent is not eligible to serve on the county board.

(d) All elected members of the Charles County Board shall be elected at a general election as required by subsection (e) of this section.

(e) (1) (i) Subject to paragraph (2) of this subsection, each elected member serves for a term of 4 years beginning on the third Monday in December after the general election and until a successor is elected and qualifies.

(ii) If the third Monday in December is a legal holiday, the term begins on the first day after the third Monday in December that is not a legal holiday.

(2) The terms of members, beginning with members elected at the general election in November 2022, are staggered as required by the terms provided for elected members of the county board on July 1, 2021.

(3) An elected member may not serve for more than two consecutive terms.

(f) (1) The elected members of the county board shall select a qualified individual to fill any vacancy on the board for the remainder of that term and until a successor is elected and qualifies.

(2) An individual appointed to fill a vacancy of an elected member shall be a resident of the same county commissioner district as that of the vacating member.

(3) An interview of an applicant for a vacancy on the board shall be conducted by the board at a meeting open to the public.

(4) (i) The board shall publish a list of the names of the applicants for a vacancy on the board at least 2 weeks before the interview of the first applicant is scheduled to occur.

(ii) Public notice of the date, time, and location of each interview shall be published:

1. At least 2 weeks before the interview is scheduled to occur; and

2. In the same manner as a public notice of a regular meeting of the board is published.

(5) The board is not required to conduct discussions of the applicants or make the final selection of the member to fill a vacancy of the elected member at a meeting open to the public.

(g) (1) With the approval of the Governor, the State Board may remove an elected member of the county board for any of the following reasons:

- (i) Immorality;
- (ii) Misconduct in office;
- (iii) Incompetency; or
- (iv) Willful neglect of duty.

(2) Before removing an elected member, the State Board shall send the elected member a copy of the charges pending and give the elected member an opportunity within 10 days to request a hearing.

(3) If the elected member requests a hearing within the 10-day period:

(i) The State Board shall promptly hold a hearing, but a hearing may not be set within 10 days after the State Board sends the elected member a notice of the hearing; and

(ii) The elected member shall have an opportunity to be heard publicly before the State Board in the elected member's own defense, in person or by counsel.

(4) An elected member removed under this subsection has the right to a de novo review of the removal by the Circuit Court for Charles County.

(h) (1) The student member of the Charles County Board shall be an 11th or 12th grade student in the Charles County Public School System.

(2) The student member, and an alternate, shall be selected by the Charles County Association of Student Councils.

(3) The term of the student member shall be 1 year.

(4) (i) The student member shall be a voting member of the board.

(ii) The student member may vote on all matters before the board except those relating to:

1. Hearings on appeals of special education placements;

2. Hearings held under §§ 4–205 and 7–305 of this article;

3. Personnel matters, including those under §§ 6–201 and 6–202 of this article;

4. Appointment, salary, and evaluation of the county superintendent;

5. Collective bargaining decisions;

6. Capital and operating budgets; and

7. School closings, openings, and boundaries.

(5) Unless invited to attend by an affirmative vote of a majority of the county board, the student member may not attend an executive session that relates to any matter for which the student member may not vote.

(6) On a majority vote of the elected members, the county board may determine, on a case-by-case basis, whether a matter under consideration is covered by the exclusionary provisions listed in paragraph (4) of this subsection.

(7) The State Board may remove the student member from the county board in the same manner as an elected member.

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